

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ESN, LLC, )  
Plaintiff, )  
v. ) Civil Action No. 5:08-cv-20-DF  
CISCO SYSTEMS, INC., and )  
CISCO-LINKSYS, LLC, ) JURY TRIAL DEMANDED  
Defendants. )

## **JOINT NOTICE OF AGREEMENT REGARDING COSTS**

Defendants Cisco Systems, Inc. and Cisco-Linksys, LLC (collectively "Cisco") and Plaintiff ESN, LLC jointly submit this Notice of Agreement Regarding Costs.

On December 30, 2009, this Court granted Cisco's Motion to Dismiss for lack of subject matter jurisdiction ("the Dismissal") (DN #184). The parties have met and conferred regarding Cisco's costs and have reached agreement on a sum payable by ESN to Cisco to satisfy Cisco's costs incurred through the time of the Dismissal.

Because the parties have reached a mutually acceptable arrangement regarding costs, no bill of costs will be filed with the Court.

DATED: February 17, 2010

Respectfully submitted,

By /s/ Matthew D. Cannon

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Attorneys for Defendants  
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By /s/ Peter J. McAndrews

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the date this proof of service is signed below, I served the foregoing:

### JOINT NOTICE OF AGREEMENT REGARDING COSTS

by email and via the Court's Electronic Filing System to

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Date: February 17, 2010

/s/ Matthew D. Cannon

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